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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11

12 BRIARCROFT, LTD, a California
corporation doing business as IREKO

13 Plaintiff,
14

15 v.

16 ROBERT WISNER O'NEEL III, aka
ROBERT W. O'NEEL, aka ROB O'NEEL,
17 TATIANA ABRACOS, aka TATIANA
O'NEEL.
18

19 Defendants,
20 _____/

Case No. C-09-03445 SI

**STIPULATION REGARDING CASE
MANAGEMENT CONFERENCE;
ORDER THEREON**

21 This action was commenced on July 27, 2009. Defendants were served by certified mail
22 on August 5, 2009.

23 The parties have been engaged in settlement discussions for several weeks. Those
24 discussions are ongoing but the defendants believe they are not subject to this Court's
25 jurisdiction.

26 The defendants filed a motion to dismiss based on lack of jurisdiction. That motion is set
27 for hearing on December 18, 2009. That motion may completely dispose of this matter.

28 The parties agree and request that the Case Management Conference currently set for

November 6, 2009 at 2:30 pm be continued to a date after this Court rules on the motion to dismiss. The parties suggest a date in late January 2010.

Dated: 11/2/09

Provencher & Flatt LLP

By: /s/ Douglas B. Provencher
Douglas B. Provencher (77823)
Attorneys for Plaintiff

Dated: 11/2/09

Smith Dollar PC

By: /s/ Sean M. Beehler
Sean M. Beehler (232551)
Attorneys for Defendants

ORDER

Based on this request and good cause appearing;

IT IS ORDERED that the Case Management Conference currently set for November 6, 2009 at 2:30 pm be continued to January 22, 2010 at 2:30 p m.

Dated:



SUSAN ILLSTON
United States District Court Judge